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U.S. DEPARTMENT OF TRANSPORTATION  
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Federal Aviation Administration

14 CFR Parts 65, 91, 105, 119

[Docket No. FAA-1999-5483; Notice No. 99-03]

**RIN 2120-AG52**

Comments to NRPM 99-03, Parachute Operations

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As a member of the Air Traffic Procedures Advisory Committee (ATPAC) I enclose my comments on the proposed **NPRM** to revise Part 105, Parachute Operations. Several years ago the issue of skydiving in high (air carrier) density airspace was brought to the FAA via ATPAC. Resolutions to the Area of Concern have been continuously postponed due to the "imminent" re-write of Part 105. Upon reading the **NPRM** for Part 105, I find nothing that addresses those concerns of the committee and think that before IO5 is finalized they concerns should be addressed.

Those concerns are that skydiving in high density airspace is perceived as a potential hazard to both the skydivers and to the air carrier aircraft. My suggestions for reducing this perception of hazard and giving air carrier pilots more useful information follow:

1. Require the charting of known Drop Zones (DZs) on both NOS and Jeppesen charts, especially on arrival and departure charts. Most of the complaints that I am aware of occurred on arrivals. By having the approximate location charted, the air carrier pilots can request deviations around the area should they be so concerned as to want more separation than that provided by the skydivers' requirement to visually assure that there is no air traffic below prior to jumping.
2. When skydiving is in progress in such high density (air carrier) airspace, have the jump plane on the same frequency as the arrival aircraft. This should not be so difficult since they are already in the same general area. By being able to listen to the "jumpers away" call, the air carrier pilot's awareness is heightened.
3. Require that controllers working air carrier aircraft inform that aircraft of skydiving traffic and its location relative to the air carrier. At the present time this information is on an "as time permits" basis using the controller's opinion of whether or not there is time. A distance from the skydivers (at jump time) could be used to limit the use of this mutual traffic point out. I would suggest consulting with USPA for normal distances when making that decision.
4. When creating or modifying existing arrival and departure routes the FAA should route the aircraft around the known DZs. Most of these operators were in place far out in the country long before their city became such a busy aviation user. Putting a "kink" in the airway or using a different radial altogether would avoid those areas by a suitable distance to give both operations safe use of the lower altitudes (less than 18,000'). Putting air carrier aircraft at altitudes above those used by the DZs is another option, for example, if the DZ below a planned route normally uses 12,000' for its jump altitudes, run the air carriers at 13,000' or 14,000'.

The following comments are regarding the **NPRM** itself and the rules changes that it addresses:

#### § 105.3 Definitions

Since the FAA is in the process of converting to **SATNAV** from **VOR** and other ground based nav aids, I suggest that GPS locations be included as a method of physically identifying the location the DZ.

#### § 105.13 Radio Equipment and Use Requirements

The jump should NOT be aborted because of lost **comm**. In all other aviation operations, lost **comm** in-flight has a list of expected procedures, one of which is to continue to the destination. The controllers are expecting it due to the prior notification rules.

#### § 105.15 Information Required and Notice of Cancellation or Postponement of a Parachute Operation

Add “or as assigned” to the **list** of frequencies so that the facility’s back-up frequencies can be used. Add “or DZ operator” to paragraph (c) so that persons other than the PIC can **notify** the facility when a drop is cancelled or postponed.

#### § 105.19 Parachute operations between sunset and sunrise

The requirement to display a light that must be visible for 3 statute miles in all directions is completely impractical. To my knowledge the civilian (non-Wicca) community does not have the technology to suspend a light in mid-air above the skydiver so that it could be viewed in **all** directions. This section needs to be i-e-worded and consideration must be given to current technology and the danger to the skydiver of carrying either heavy or hot lights.

#### § 105.27 Accident Reporting Requirements

The USPA has been doing an excellent job of cataloging and reporting accidents and fatalities. There is no need to add an additional burden on both the FAA and the skydiving community beyond the current methods. Delete this requirement. On a side note, when an **aircraft** accident has occurred the reporting requirement is to the NTSB rather than FAA. This proposal changes the reporting requirement to the FAA. There is no reason to change the report recipient should this proposal survive the comment process.

#### § 105.43 Use of Single-harness, Dual-parachute Systems

A more practical and realistic method of providing “supervision” of parachute packers who pack main parachutes for use other than by themselves would be to have those packers trained by a certified parachute rigger and have that rigger sign a document, or logbook, that the packers keep **in their possession**, or with a copy on file at the **DZ**, as proof of that training. A similar system already in use by the FAA is the endorsements in pilots’ logbooks by CFIs. Packing a main parachute is much more like **fueling** on one’s own aircraft, which is not rocket science and does not require constant supervision by a certified fueler.

Also, currently the pilot is responsible for assuring that the reserve parachutes of the skydivers meet the packing currency requirements. It is completely illogical to hold a pilot responsible for a skydiver’s equipment. This liability should be eliminated.

#### § 105.23 Reporting and Notification Requirements

Do not remove the option of using the Flight Service Station notification system. You could **ADD** the requirement that FSS **notify** the local ATC facility if that is desirable. Areas of limited radar coverage and areas that are remote to ATC facilities should not be hindered by having to report to an ATC facility that doesn’t care what is going on there. Also do not confuse notification with “permission” to jump. Many times I have heard controllers recommend to jump pilots that they hold the jump for a short period of time, but it should remain a recommendation, Controllers should not be in the business of “authorizing” a skydive.

#### § 119.1 Applicability

The rule that an **intentional** parachute jump must occur within **25** miles of the departure point of the **aircraft** is outdated and unnecessary. There are plenty of rules for prior approval, notification, and coordination regarding skydiving. The growth of cities and the versatility of aircraft have made this rule outdated-it should be eliminated.

#### Additional comments:

Currently the pilot is responsible for violations that occur because the skydivers were unable to maintain distance from cloud criteria. It is inappropriate to hold the pilot of an aircraft responsible for cloud separation after the skydivers have **left** the aircraft. The **varying winds** between the exit altitude and the surface make It impossible to accurately predict the exact trajectory (based on exit speed of the aircraft) of the skydivers and the possibility that the clouds will within “x” seconds occupy the same airspace which was previously clear. Both skydivers and pilots of jump aircraft make reasonable assessments and decisions based upon the view from the spotting position at the door. Inadvertent penetration of a cloud during the descent should not be a violation potential. This **NPRM** is a good opportunity to clean up these problem areas.

NPRM process comments:

Buried within the NPRM (pg. 18308) is a hidden date that differs from the comments requirement date. I don't think that the NPRM should have two separate dates for comments. The July 12th date for the overall comments is adequate.

The copy of the NPRM that I received was given to me by FAA personnel and was not merely reprinted from the web. In it the titles of sections are run together, i.e., AvailabilityofNPRMs, DiscussionoftheProposal, RadioCommunications, etc. I hope this is an oversight on the FAA's part rather than a "style" implemented to be "cute" and that all future NPRMs will be better proofread to prevent this inappropriate and difficult to interpret abuse of the English language.

Thank you for the opportunity to comment,

A handwritten signature in black ink, appearing to read "Becky Howell", with a stylized flourish at the end.

Captain Becky Howell  
Southwest Airlines Pilots' Association  
Air Safety Committee